

one to believe that it is possible that the state's position and the Legislature's position will not be upheld but that again will be based on the facts that will be presented in the case.

SENATOR NEWELL: Thank you, Senator Warner. I rise to support the Warner amendment which I am not sure that Senator Warner is supporting himself. But I will tell you, I think the issue here is a very clear issue and I would hope that the members of this body would pay attention to it. Senator Warner asked Senator Chambers, and I am going to ask the President if he could help me just lower the noise level for a moment because what I have to say I think is fairly important.

PRESIDENT: Very well, Senator. Ask for a (gavel) quieting of the conversational tone under the balconies would help a great deal. Thank you.

SENATOR NEWELL: Let me say that this is a very significant issue. I do not know how many of you have had calls from providers from your district, from nursing homes or hospitals or others, but I want you to know very simply that we are on some very shaky ground with the law we passed last year, and today when LB 611 should have come up, we once again decided that we could play Russian roulette with making some tough decisions about cost containment. So what we are doing, we are playing a two track game, one track is we allow people to continue to be on the medicaid roles. We continue to offer them a full full range of services, and frankly I have always supported the level of services, and only now reluctantly look at those levels because of the cost, the involvement, but I will tell you I think it is fairer to cutback in some of those services than it is to have wholesale cuts of 4 or 14% as they are being administered now by the Department of Welfare in certain programs. To say that we are going to in fact cut back because only of budgetary constraints is a very dangerous game and I will tell you very simply why it is a dangerous game and I think this Legislature ought to understand this. It is a dangerous game because the federal government requires that it be cost related reimbursement and so we have a program that deals with cost related reimbursement and now we have unilaterally said that we are going to reduce those costs four or fourteen percent whether they are to hospitals, or in the case of nursing homes it is fourteen percent, it is mandated care versus mandated care. They are both mandated care. Well, the truth of the matter is is that I believe we are going to lose that court case.

PRESIDENT: One minute.